

REMARKS

In the final office action mailed November 5, 2009, the drawings were objected to under 37 CFR 1.83(a). The Examiner stated that the drive servomotors, power supply, control electronics, and encoder must be shown or cancelled from the claims. With this amendment, claims 16, 18 and 19 have been cancelled. Accordingly, the objection is believed to be moot.

Claims 1-3, 6-7, 13, and 17 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,715,774 issued to Cassoni. However, Applicants note the Examiner's indication that claims 4-5, 8, 10-12, and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. With this amendment, the limitation of claim 4 has been placed into independent claim 1 and claim 4 has been cancelled. Claim 1, as amended, and claims 2, 3, 6, 7 and 17, which depend therefrom, are believed to be in condition for allowance.

In addition, claim 5 has been rewritten in independent form. Accordingly, claim 5, as amended, and claim 8 which depends therefrom, are believed to be in condition for allowance.

Claim 9 has now been rewritten in independent form and includes the limitation of claim 10 (now cancelled). Accordingly, claim 9, and claims 12 and 15 which depend therefrom, are believed to be in condition for allowance.

Finally, claim 13 has been rewritten in independent form. Accordingly, claim 13, and claim 14 which depends therefrom, are believed to be in condition for allowance.

Claims 6, 8-11 and 15 have also been rejected under 35 U.S.C. 112, second paragraph as being indefinite. With this amendment, claim 6 has been amended to delete the term "joint." Claim 8 has also been amended to clarify the language with regard to "pulley each attached." Claim 9 has been amended to change "a hinge" to -- said hinge--. In addition, the limitation of claim 10 (now incorporated in claim 9) has been amended to delete the recitation "therein the manner of a telescope." Finally, claim 15 has been amended to delete the recitation "rotated by 180°."

Claims 6, 8-9, 11 and 15, as amended, are believed to be in compliance with §112, second paragraph.

For all of the above reasons, applicants submit that claims 1-3, 5-9, 11-15, and 17, as amended, are patentable over the cited reference and are in condition for allowance. Early notification of allowance subject matter is respectfully requested.

Respectfully submitted,

DINSMORE & SHOHL LLP

By /Susan M. Luna/
Susan M. Luna
Registration No. 38,769

Fifth Third Center
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405

SML/tlo